

**FULBRIGHT & JAWORSKI L.L.P.**

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701

TELEPHONE: 512/474-5201  
FACSIMILE: 512/536-4598

WRITER'S INTERNET ADDRESS:  
RHANSON@FULBRIGHT.COM

WRITER'S DIRECT DIAL NUMBER:  
512/536-3085



*MP#* *#3*  
HOUSTON  
WASHINGTON, D.C.  
AUSTIN  
SAN ANTONIO  
DALLAS  
NEW YORK  
LOS ANGELES  
MINNEAPOLIS  
LONDON  
HONG KONG

May 20, 2002

FILE: DEKA:287US

**CERTIFICATE OF MAILING**  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

May 20, 2002  
Date

*[Signature]*  
Robert E. Hanson

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, DC 20231

RE: *SN 10/057,318 "PLANTS AND SEEDS OF CORN VARIETY I390185" – Rodney L. Tietz (Client Reference: 34-63(52332))*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed March 19, 2002;
- (2) Declaration executed by Rodney L. Tietz;
- (3) Power of Attorney;
- (4) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (5) Information Disclosure Statement;
- (6) Form PTO-1449;
- (7) Copies of references A1-A16, and C1-C26;
- (8) Check in the amount of \$1488.00; and

Commissioner for Patents  
May 20, 2002  
Page 2

- (9) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10200514/REH.

Respectfully submitted,



Robert E. Hanson  
Reg. No. 42,628

REH/mar

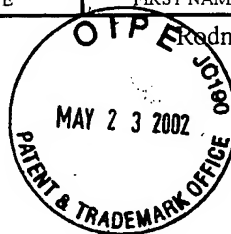
Encl: as noted



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/057,318	01/25/2002	Rodney Tietz	DEKA:287US 10200514



CONFIRMATION NO. 1903

## FORMALITIES LETTER



\*OC000000007670177\*

Robert E. Hanson  
FULBRIGHT & JAWORSKI L.L.P.  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TX 78701

Date Mailed: 03/19/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$618.
  - \$198 for 11 total claims over 20.
  - \$420 for 5 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1488.

A copy of this notice **MUST** be returned with the reply

05/24/2002 FIBERNE 00000076 10057318

01 FC:101  
02 FC:105  
03 FC:103  
04 FC:102

740.00 OP  
130.00 OP  
198.00 OP  
420.00 OP

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Rodney L. Tietz

Serial No.: 10/057,318

Filed: January 25, 2002

For: PLANTS AND SEEDS OF CORN  
VARIETY I390185



Group Art Unit: 1632

Examiner: Unknown

Atty. Dkt. No.: DEKA:287US

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

May 20, 2002

Date

Robert E. Hanson

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated March 19, 2002, there are enclosed herewith:

- (a) Declaration executed on behalf of Rodney L. Tietz;
- (b) A Power of Attorney on behalf of ASGROW SEED COMPANY LLC;
- (c) Our check in the amount of \$1488.00 to cover the basic filing fee (\$740.00- utility large entity); surcharge for late filing (\$130.00) additional claims fee (\$618.00); and
- (d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted.

An Assignment to ASGROW SEED COMPANY LLC and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10200514/REH.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Robert E. Hanson  
Reg. No. 42,628  
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: May 20, 2002